

Amendments to the Claims

This listing of the claims, as shown below pursuant to 37 C.F.R. § 1.121, will replace all prior versions and listings of the claims in the Application.

Listing of the Claims:

1. (Original) A method for creating an automated bidding process among energy Providers for the benefit of resellers or customers of resellers in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and designates at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller, or to at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:
 - a. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller, or to the at least one customer of the at least one reseller, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first bidding data;
 - b. in the moderating computer, transmitting at least a portion of the first bidding data to at least a portion of the plurality of energy Providers; and

- c. in the moderating computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during at least a portion of a specific future time interval.
2. (Currently Amended) A method of Claim 1 in which the at least one reseller or the at least one customer includes at least one end user.
3. (Original) A method of Claim 2 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
4. (Original) A method of Claim 1 in which the moderating computer designates at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during the specific future time interval.

5. (Original) A method of Claim 1 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.
6. (Original) A method of Claim 1 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.
7. (Original) A method of Claim 6 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.
8. (Original) A method of Claim 1 in which the moderating computer transmits historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
9. (Original) A method of Claim 1 including, in the moderating computer, transmitting at least a portion of the first bidding data to the at least one reseller.
10. (Original) A method of Claim 1 comprising, in the moderating computer, receiving decision rules from an administrator associated with the moderating computer or

from the at least one reseller, and processing at least a portion of the first bidding data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller or to the at least one customer.

11. (Original) A method of Claim 1 including, in the moderating computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
12. (Original) A method of Claim 1 in which the moderating computer transmits at least a portion of the first bidding data to at least a portion of the plurality of energy Providers subsequent to designating at least a first designated Provider to provide electric power or natural gas to the at least one reseller or to the at least one customer.
13. (Currently Amended) A method of Claim 1 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
14. (Original) A method of Claim 13 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the

electric power or natural gas needed by the at least one reseller or by the at least one customer.

15. (Original) A method of Claim 13 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.
16. (Currently Amended) A method of Claim 1 in which at least a first designated Provider is designated by the moderating computer to supply a specific fixed quantity or block of electric power or natural gas, and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
17. (Currently Amended) A method of Claim 4 16 in which at least a first ~~designated Provider is a~~ default Provider provider ~~or a contract Provider~~ supplies at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during the specific future time interval.
18. (Original) A method of Claim 1 in which the moderating computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, transmits periodic usage reports

associated with the at least one reseller, or with the at least one customer, to at least a first designated Provider.

19. (Original) A method of Claim 1 in which at least one adjunct computer performs at least a portion of the processing and communications functions of the moderating computer.
20. (Original) A method for creating an automated bidding process among energy Providers for the benefit of resellers or customers of resellers in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller, or to at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:
 - a. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller, or to the at least one customer of the at least one reseller, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;

- b. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
 - c. in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to at least a portion of the plurality of energy Providers; and
 - d. in the first control computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during at least a portion of a specific future time interval.
21. (Currently Amended) A method of Claim 20 in which the at least one reseller or the at least one customer includes at least one end user.
22. (Original) A method of Claim 21 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
23. (Original) A method of Claim 20 in which the first control computer designates at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with

each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during the specific future time interval.

24. (Original) A method of Claim 20 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.
25. (Original) A method of Claim 20 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.
26. (Original) A method of Claim 20 in which the moderating computer or the first control computer transmits historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
27. (Original) A method of Claim 20 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one reseller, and

processing at least a portion of the first control computer data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller or to the at least one customer.

28. (Original) A method of Claim 20 including, in the moderating computer or the first control computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.

29. (Currently Amended) A method of Claim 20 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.

30. (Original) A method of Claim 29 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.

31. (Original) A method of Claim 29 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or

natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.

32. (Original) A method of Claim 20 in which the moderating computer, or the first control computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, transmits periodic usage reports associated with the at least one reseller, or with the at least one customer, to at least a first designated Provider.
33. (Original) A method of Claim 20 in which the first control computer is operated by the moderating computer, or by the at least one reseller, or by at least one end user, or by a first DISCO serving the at least one reseller or the at least one customer.
34. (Original) A method of Claim 20 in which at least a portion of the processing and communications functions of the moderating computer or the first control computer are performed by at least one adjunct computer.
35. (Original) A method of Claim 20 in which the first control computer is a computer adjunct to the moderating computer.

Claims 36 – 48 (Withdrawn)

49. (Original) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of resellers or customers of resellers, based on an economic choice in accordance with auction rules, comprising:

- a. collecting, from each Provider of a plurality of energy Providers, bids to provide energy, consisting of electric power or natural gas, to at least one reseller or to at least one customer of the at least one reseller;
- b. processing the bids that apply to the at least one reseller, or to the at least one customer, in accordance with the auction rules;
- c. distributing at least a portion of processed bid information to at least a portion of the plurality of energy Providers; and
- d. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during at least a portion of a specific future time interval.

50. (Currently Amended) A method of Claim 49 in which the at least one reseller or the at least one customer includes at least one end user.

51. (Original) A method of Claim 50 in which at least a first designated Provider is to

supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.

52. (Original) A method of Claim 49 in which each of Steps a. - d. is accomplished by means of computer processing.
53. (Currently Amended) A method of Claim 49 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during the specific future time interval.
54. (Original) A method of Claim 49 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.
55. (Original) A method of Claim 49 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the bid to be considered valid.

56. (Original) A method of Claim 55 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.
57. (Original) A method of Claim 49 including distributing at least a portion of the auction rules to at least a portion of the plurality of energy Providers.
58. (Original) A method of Claim 49 including distributing historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
59. (Original) A method of Claim 49 including transmitting at least a portion of the processed bid information to the at least one reseller.
60. (Original) A method of Claim 49 including notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one reseller or to the at least one customer.
61. (Original) A method of Claim 49 including distributing at least a portion of the processed bid information to at least a portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide

electric power or natural gas to the at least one reseller or to the at least one customer.

62. (Currently Amended) A method of Claim 49 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
63. (Original) A method of Claim 62 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.
64. (Original) A method of Claim 62 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.
65. (Currently Amended) A method of Claim 49 including designating at least a first designated Provider to supply a specific fixed quantity ~~or block~~ of electric power or natural gas, and including transmitting historical energy usage data associated

with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.

66. (Currently Amended) A method of Claim 49 65 in which at least a first-designated ~~Provider is a default Provider provider or a contract Provider~~ supplies at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during the specific future time interval.

67. (Original) A method of Claim 49 including transmitting periodic usage reports associated with the at least one reseller, or with the at least one customer, to at least a first designated Provider.

68. (Original) A method for creating an automated bidding process among energy Providers for the benefit of end users in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least a first Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one end user, based on an economic choice in accordance with auction rules, wherein the method comprises:

- a. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one end user, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the

- processed bid data in a data base of the moderating computer as first control computer data;
- b. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
 - c. in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to at least a portion of the plurality of energy Providers; and
 - d. in the first control computer, designating at least the first Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one end user, with each designated Provider to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of a specific future time interval.
69. (Original) A method of Claim 68 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one end user.
70. (Original) A method of Claim 68 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.

71. (Original) A method of Claim 70 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
72. (Original) A method of Claim 68 in which the moderating computer transmits at least a portion of the auction rules to at least a portion of the plurality of energy Providers.
73. (Original) A method of Claim 68 in which the moderating computer or the first control computer transmits historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers.
74. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to the at least one end user.
75. (Original) A method of Claim 68 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one end user, processing at least a portion of the first control computer data and the decision rules, and designating at least the first Provider for the provision of electric power or natural gas to the at least one end user.

76. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, notifying a first DISCO of at least the first Provider's designation to provide electric power or natural gas to the at least one end user.
77. (Original) A method of Claim 68 in which the moderating computer or the first control computer transmits at least a portion of the first control computer data to at least a portion of the plurality of energy Providers subsequent to the first control computer designating at least the first Provider to provide electric power or natural gas to the at least one end user.
78. (Currently Amended) A method of Claim 68 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas to the at least one end user, and including transmitting historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers.
79. (Original) A method of Claim 78 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one end user.

80. (Original) A method of Claim 78 in which the auction rules specify that all bids indicate the quantity of standard units or blocks of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
81. (Currently Amended) A method of Claim 68 in which at least a first designated Provider is designated by the first control computer to supply a ~~specific fixed~~ quantity ~~or block~~ of electric power or natural gas, and including transmitting historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy providers.
82. (Currently Amended) A method of Claim 68 81 in which at least a first ~~designated Provider is a default Provider~~ provider ~~or a contract Provider~~ supplies at least a portion of the electric power or natural gas needed by the at least one end user during the specific future interval.
83. (Original) A method of Claim 68 in which the first control computer is operated by the moderating computer, or by the at least one end user, or by a reseller to the at least one end user, or by a first DISCO serving the at least one end user.
84. (Original) A method of Claim 68 in which the first control computer is a computer adjunct to the moderating computer.

85. (Original) A method of Claim 68 in which at least a portion of the processing and communications functions of the moderating computer or the first control computer are performed by at least one adjunct computer.
86. (Original) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of Buyers, based on an economic choice in accordance with auction rules, comprising:
- a. receiving, from at least one Buyer, at least one request for future energy supply, consisting of electric power or natural gas;
 - b. processing the at least one request and distributing at least a portion of at least one processed request to a plurality of energy Providers;
 - c. receiving, from at least two Providers of the plurality of energy Providers, bids to provide electric power or natural gas to the at least one Buyer;
 - d. processing the bids in accordance with the auction rules;
 - e. distributing at least a portion of processed bid information to at least a portion of the plurality of energy Providers; and
 - f. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one Buyer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during at least a portion of a specific future time interval.

87. (Original) A method of Claim 86 in which each of Steps a. - f. is accomplished by means of computer processing.
88. (Original) A method of Claim 86 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one Buyer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during the specific future time interval.
89. (Original) A method of Claim 86 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one Buyer.
90. (Original) A method of Claim 86 in which, as part of the auction rules, bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one Buyer.
91. (Original) A method of Claim 86 including notifying at least one DISCO serving the at least one Buyer of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.

92. (Original) A method of Claim 86 including distributing at least a portion of the processed bid information to at least a portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.
93. (Original) A method of Claim 86 including transmitting periodic usage reports associated with the at least one Buyer to at least a first designated Provider.
94. (Original) A method of Claim 86 including distributing at least a portion of the at least one processed request to at least a portion of the plurality of energy Providers by posting the at least a portion of the at least one processed request on a website or computer bulletin board accessible to the Providers.
95. (Original) A method of Claim 86 including receiving bids from the at least two Providers by means of a software defined template.
96. (New) A method of Claim 86 including transmitting historical energy usage data associated with the at least one Buyer to at least a portion of the plurality of energy Providers.